

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION – TOLEDO**

In Re:	:	Case No.: 19-31037-jpg
	:	
Bruce C. Amory	:	Chapter 13 Bankruptcy
	:	
Debtor.	:	Judge John P. Gustafson

OBJECTION TO CHAPTER 13 PLAN

Now comes Judgment Creditor, Anchor Pointe Boat-A-Minium Association, Inc., by and through undersigned counsel, and hereby objects to the Chapter 13 plan of Debtor. Debtor's plan fails to identify a real property interest, to wit: the condominiumized slip/dock that he owns in Anchor Pointe Marina. The slip/dock is a titled piece of property and, with the recordation of the deed, Debtor accepted the conditions contained within the recorded by-laws and condominium declarations which includes the yearly responsibility to pay assessments. Debtor's bankruptcy petition identifies the Municipal Court judgment taken by Judgment Creditor, Anchor Pointe Boat-A-Minium Association, Inc., for the assessments due, what remain unpaid, through 2018. However, Debtor fails to identify the real property interest – the slip/dock and also fails to identify, or make

provisions for payment, the ongoing yearly assessments which Debtor receives as a consequence of his real property interest. The failure of Debtor to make mention of or plan to pay the ongoing assessments, just like all other real property owners within the marina, violates his duty to pay all ongoing expenses post-petition. Thus, Debtor must amend his plan to address and make arrangements for payment of the post-petition obligation, which currently runs approximately \$861.00 a year.

Respectfully submitted,

Date: June 6, 2019

/s/ Eugene F. Canestraro
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Attorney for Judgment Creditor, Anchor Pointe
Boat-A-Minium Association, Inc.

CERTIFICATE OF SERVICE

I, Eugene F. Canestraro, hereby certify that the foregoing, Objection to Chapter 13 Plan, was electronically transmitted on June 6, 2019, via the court's CM/ECF system to the following who are listed on the court's Electronic Mail Notice List:

John F. Kostyo
Attorney for Debtor

jfk@kostyolaw.com

Elizabeth A. Vaughan, Trustee

officeofstanding@att.net
toledo13@ecf.epiqsystems.com
(Registered Address)@usdoj.gov

Office of the U.S. Trustee

- and all others who have filed a request for service.

/s/ Eugene F. Canestraro
Eugene F. Canestraro, Attorney for Judgment
Creditor, Anchor Pointe Boat-A-Minium Association, Inc.

NOTICE

Parties-in-interest shall take notice that the within Objection of Anchor Pointe Boat-A-Minium Association, Inc., to the confirmation of the Chapter 13 Plan of the Debtor shall come on for hearing on Sept. 17, 2019, at 9:30 am, in conjunction with the scheduled confirmation hearing in the within matter.

/s/ Eugene F. Canestraro

Eugene F. Canestraro

Attorney for Judgment Creditor, Anchor Pointe
Boat-A-Minium Association, Inc.